

2000P09005US01
60.426-218REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the most recent Office Action. Claims 5-11 have been amended to correct their dependencies. Claims 1-17 are still pending in this application. Applicant respectfully requests reconsideration of this application.

Claims 1-5 and 10-15 were rejected under 35 U.S.C. §103 as being unpatentable over *Treusch, et al.* in view of *Kinkaid, et al.* Claims 6-9, 16 and 17 were rejected under 35 U.S.C. §103 over the combination of *Treusch, et al.*, *Kinkaid, et al.* and *Kamon, et al.* Applicant respectfully traverses the rejections.

The proposed combination does not establish a *prima facie* case of obviousness. There must be some motivation to make the proposed combination. In this case, there would be no benefit to making the change suggested by the Examiner and, therefore, there is no motivation. Further, the suggested change by the Examiner appears to eliminate one of the important features from the *Treusch, et al.* reference, which cannot be done when trying to establish a *prima facie* case of obviousness.

The *Treusch, et al.* reference clearly teaches, "An object of the present invention is to provide a plastic molded fuel rail for simultaneously retaining, orienting and electrically connecting a fuel injector to the rail." (Column 1, lines 52-54). Again, *Treusch, et al.* explicitly state, "An advantage of the present invention is that fuel injectors may be easily mounted to a fuel rail such that both mechanical retention and orientation, as well as electrical connection, may be accomplished during a single assembly step." (Column 2, lines 10-13). Accordingly, *Treusch, et al.* relies upon a system where mechanical and electrical connection between a fuel injector and a plastic

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molded fuel rail simultaneously makes an electrical and mechanical connection between those parts. The Examiner's proposed modification to *Treusch, et al.* eliminates the possibility for that to happen.

If one were to replace the connector member 70 of *Treusch, et al.* and the male conductor 69 with the arrangement of *Kinkaid, et al.*, that simultaneous mechanical and electrical connection would no longer be possible. *Kinkaid, et al.* requires a pair of dies 20 and 22 to make the electrical connection provided by *Kinkaid, et al.* Utilizing such dies to make an electrical connection eliminates the possibility for having a simultaneous electrical and mechanical connection as taught by *Treusch, et al.* Eliminating a primary feature of *Treusch, et al.* cannot be done when attempting to establish a *prima facie* case of obviousness.

Another reason why there is no *prima facie* case of obviousness is because there would be no benefit to making the substitution suggested by the Examiner. The Examiner's apparent reasoning for the proposed substitution is that the electrical connection between the connector member 70 and the male conductor 69 of *Treusch, et al.* "would become loose or disconnected due to vibration." Applicant respectfully disagrees. *Treusch, et al.* teaches an arrangement having a locking tab 56, a locking tongue 58 and an opening 60 that are mechanically locked when the fuel rail 18 is connected with the fuel injector 20. This mechanical locking would prevent the connector member 70 and male conductor 69 from becoming separated as suggested by the Examiner. Because the possibility for such disconnection has already been addressed by *Treusch, et al.* with the simultaneous mechanical locking feature of that reference, there would be no benefit to making the substitution suggested by the Examiner. Without

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any benefit to modifying a reference, there is no motivation and no *prima facie* case of obviousness.

The further addition of the teachings of *Kamon, et al.* does not remedy the absence of motivation and does not establish a *prima facie* case of obviousness.

All claims are allowable.

Respectfully submitted,

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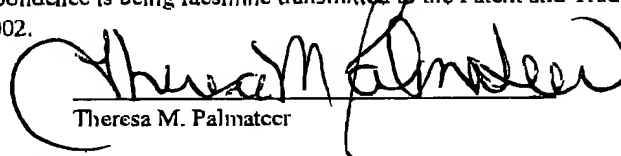
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I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 308-7722) on May 20, 2002.


Theresa M. Palmatier

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60,426-218**APPENDIX 1****"VERSION WITH MARKINGS TO SHOW CHANGES MADE"**
IN THE CLAIMS

5. (Amended) The assembly of claim [3]4, including a plurality of connector members, each comprising a barb of flexible metal material.
6. (Amended) The assembly of claim [3]4, including a securing member placed over the conductor and the connector member.
7. (Amended) The assembly of claim [5]6, wherein the securing member comprises plastic that is molded over the conductor and the connector member.
8. (Amended) The assembly of claim [5]6, wherein the securing member comprises a seal.
9. (Amended) The assembly of claim [5]6, wherein the securing member comprises at least one material selected from the group consisting of plastic, foam or silicone.
10. (Amended) The assembly of claim [3]4, wherein the conductor comprises a flexible conductor cable.
11. (Amended) The assembly of claim [3]4, including a plurality of conductors and a corresponding plurality of deformable connector members.